



TOWN OF LOS GATOS
PLANNING COMMISSION MEETING
ACTION MINUTES
TOWN COUNCIL CHAMBERS
110 E. MAIN STREET
WEDNESDAY, FEBRUARY 22, 2006 -- 7:00 P.M.

Please refer to compact disk #02-22-06 to hear the entire proceedings of this meeting.

ROLL CALL:

Present: Phil Micciche, Chair; John Bourgeois, D. Michael Kane, Thomas O'Donnell and Lee Quintana

Absent: Joanne Talesfore, Vice Chair; Stephen M. Rice

Others: Assistant Community Development Director Randy Tsuda and Judie Soo Gilli, Assistant Planner

VERBAL COMMUNICATION

Ray Davis Commented on the performance of several Planning Commissioners.

APPROVAL OF MINUTES

February 8, 2006 - Commissioner Quintana provided a correction to Item 3/14777 Los Gatos Blvd - Page 3 regarding motions made. Commissioner Kane provided a correction to Item 3 (noted above) to include his comments as to why he voted against this project. Commissioner O'Donnell moved and Commissioner Kane seconded to approve minutes with corrections as duly noted. Motion carried 5-0-2 with Commissioners Talesfore and Rice excused.

CONSENT CALENDAR - None

CONTINUED PUBLIC HEARING

NEW PUBLIC HEARINGS

ITEM 1 Zoning Code Amendment A-06-08

Public hearing to consider amending the following sections of the Town Code:
Appeal Withdrawals, Noticing Procedures for Minor Residential Projects and
Clarification of Appeal Fees

It has been determined that this project could not have a significant impact on the environment, therefore, the project is not subject to the California Environmental Quality Act (Section 15061 (b)(3)).

APPLICANT: Town of Los Gatos

(Continued from February 8, 2006)

PUBLIC TESTIMONY by Ray Davis.

MOTION: Motion by Commissioner O'Donnell and seconded by Commissioner Bourgeois to recommend approval of Zoning Code Amendment A-06-08 and forward to Town Council for final action. This amendment will be combined with the previously recommended action from February 8, 2006.

Motion carried 4-1-2 with Commissioner Quintana dissenting and Commissioners Talesfore and Rice excused. Commissioner Quintana voted against the motion since she felt the motion should require Town Attorney review of the legality of requiring an appellant to state the reasons for an appeal on the appeal form.

ITEM 2 **16463 Ferris Avenue**
Architecture and Site Application S-06-031

Requesting approval to demolish a single family residence, demolish a second dwelling unit and construct a new single family residence on property zoned R-1:8. APN 532-07-041

PROPERTY OWNER: Dennis and Deborah Politi

APPLICANT: Hometec Architecture

PUBLIC TESTIMONY by Rick Hartman, Ray Davis and Dennis Politi

MOTION: Motion by Commissioner Kane and seconded by Commissioner Bourgeois to approve Architecture and Site Application S-06-031. The required findings were made as noted in Exhibit A of report dated February 15, 2006 and the application incorporated the conditions as noted in Exhibit B of report dated February 15, 2006 with added conditions as follows:

7. **ARBORIST RECOMMENDATIONS: The Consulting Arborist recommendations minus the tree replacement recommendation dated January 12, 2006 must be strictly adhered to, prior to and throughout construction.**
8. **REPLACEMENT TREES: Replacement trees or alternative mitigation shall be determined by the Town arborist according to Section 29.10.0985 of the Zoning Ordinance.**

Motion carried 4-1-2 with Commissioner Quintana dissenting and Commissioners Talesfore and Rice excused. Commissioner Quintana provided the following reasons for not supporting the motion: a) lack of existing site plan, b) the garage should be located at the back of the lot, c) loss

of the secondary unit in the Town's inventory, d) inconsistent with the General Plan policy of using cellars in lieu of visible space, and e) neighborhood compatibility since the second story occupies the full width of the house.

Appeal rights recited by Mr. Tsuda.

CONTINUED OTHER BUSINESS - None

NEW OTHER BUSINESS

Sub-Committee Reports

Historic Preservation Committee - Commissioner Kane commented on the February 1 and February 15 (special) HPC meetings. Commented that 4 items were discussed at the February 1 meeting, as well as demolition relative to historic structure. Discussion at the February 15 meeting included demolition of a pre-1941 structure and the outcome of saving a structure rather than demolishing. Further commented on the homework assignment for the pre-1941 Guidelines as a valuable exercise.

Report from Director of Community Development - None

Commission Matters

Commissioner Kane commented on changing the order of the agenda to put sub-committee reports earlier in the evening. Commissioner O'Donnell suggested that staff could poll surrounding cities to see what they do. Mr. Tsuda will ask staff to evaluate.

ADJOURNMENT

Chair Micciche adjourned the meeting at approximately 8:30 P.M.

TOWN OF LOS GATOS PLANNING COMMISSION
February 22, 2006

Phil Micciche, Chair

APPROVED AS TO FORM AND ATTEST:

Randy Tsuda
Assistant Director of Community
Development

Bud N. Lortz
Director of Community Development